



13 December 2018

Ms. Mary Walker, Acting Regional Administrator
Mr. Franklin Hill, Chief, Superfund Division
U.S. EPA – Region 4
61 Forsyth Street, SW
Atlanta, GA 30303

via email

Subject: Lake Conestee Site – Follow-up, w/ EPA & SCDHEC Teams, 181204

Dear Mary and Franklin:

I cannot begin to thank you enough for meeting with me, and our SCDHEC colleagues last week regarding our extraordinary Lake Conestee (LC) project. I am deeply grateful for your commitment of time to hear an update and status report on what we believe has been an exceptionally successful and creative Brownfields project. Thanks so much to you, and to Myra Reece for facilitating this opportunity. *(By the way, I did confirm that our first meeting at EPA-R4 on this project was with Mickey Hartnett in May 2000).*

Since the meeting I have followed up with Myra on identifying high-priority potential “partners.” I have also been excavating my way through 20 years of project records to re-compile a list of such partners, and to discern significant players from those that are *de minimus*, defunct, or of limited capacity. We will work towards meetings with key partners over the next month to explore the possibility of creative collaboration on this project.

Thank you for your patience with my efforts to share a long, unique, and complicated “site story” in a brief time. The discussion and feedback on our project was extremely helpful in getting everyone up to a common base on the history and status of our project.

I did want to respond to part of the discussion with respect to the nature of the risks associated with the LC site. Indeed, a wide array of ecological risks were identified through our TBA studies (2001, 2002), and the following Ecological Risk Report (2006).

However, our assessment efforts, in collaboration with SCDHEC, also identified significant human health issues that resulted in several important long-term site management measures implemented to protect human health. These were recognized in our certification of completion of our VCC and our Restrictive Covenant (both 2007). Among those issues:

- Issue: Fish. Our TBA work documented fish tissue to be contaminated above human health screening standards for mercury and chlordane. *Management Action: The water bodies of the LC site continue to be on SCDHEC’s statewide “No Consumption” listing. As owner of the site, CFI does not allow any fishing at the site.*

- **Issue: Soils and Sediments.** The TBA work identified a wide variety of metals, PAHs (including a portfolio of carcinogenic PAH compounds), and pesticides in soils within the former lakebed area above human health screening standards. This was also the case for submerged sediments in the former lakebed area. *Management Action: CFI carefully restricts human access to these areas such that patrons of Lake Conestee must stay on marked trails and boardwalks to avoid contact with soils and sediments. Our rules stipulate that patrons do not dig and do not disturb soils and sediments at the site. Our rules also specify that bicycles are restricted from certain areas. No swimming, no wading, and no boating are allowed in any waters of the site. We minimize exposure to contaminants in soils and sediments through education, institutional measures, and restricted access.*
- **Issue: Known Historical Releases of Contaminants.** At the time CFI acquired the site in 2000, the dam was in failure, that is, it was allowing 100 percent of the river flow to pass through the penstock orifice in the bottom of the dam. CFI was able to make a temporary repair to the penstock in June 2001, but in the 12 months that the orifice was open, a canyon was eroded through the lakebed, reaching as far as a mile upstream. Over the 12 months of this open penstock condition, the volume of contaminated sediment eroded from the lake amounted to over 92,000 cu.yd. The TBA scope required that we assess downstream river sediments and we confirmed the same portfolio of contaminants as found in the lakebed, for all stations sampled, as far as five miles downstream. Concentrations of many contaminants were above human health and ecological screening standards, as they were in the lakebed sediments. Based on mill operations, we believe that there had also been routine intentional releases of sediment through two sluice gates in the dam going back to the 1890s. *Management Action: The Restrictive Covenant stipulated that CFI would manage the dam, or take equivalent measures, to minimize the release of contaminated sediment from the dam, indefinitely. As a result, CFI has now performed three separate projects (2008, 2012, and 2018) to assess the dam, make repairs and improvements, and to identify the optimal solution for long-term containment of contaminated sediments. CFI's vigilance in stewardship of the dam is demonstrated in our correction of its failure condition in 2001, and our expenditure of well over \$500,000 on studies, repairs, corrective actions, and monitoring of the dam over the 18 years we have owned the structure. By comparison, the purchase price of the lake and dam property (150 acres) was \$200,000 in 2000.*
- **Issue: Downstream Public Water Supplies.** Greenwood County, the City of Greenwood, and Laurens County utilize Lake Greenwood for public potable water supply. These parties have expressed keen concern regarding the legacy contaminants present throughout the estimated 2.3 million cu.yd. of sediment within Lake Conestee. These downstream interests have been outspoken in their desire that sediment and contaminants not be released from Lake Conestee to potentially affect their water supply. *Management Action: CFI has continuously sought agency and private support of rehabilitation (if technically practicable), or replacement of the Lake Conestee Dam. CFI routinely monitors the condition of the dam, and conducts regular inspections after all significant rainfall/flooding events, and after seismic activities of a significant magnitude, within proximity to the dam.*

With respect to impacts downstream in the Reedy River, and receiving reservoirs, other than the TBA work conducted for the five-mile reach of the river downstream of Lake Conestee, there has been no substantial assessment of the impacts of legacy contaminants in sediments or water. It is logical that given the nature of these contaminants, they are likely present in abundance throughout the downstream reach of the Reedy to its confluence with the Saluda at Lake Greenwood.

These points are provided to underscore our attention to both human health and ecological concerns with regard to legacy contaminant impacts in the Reedy, with respect to public safety associated with this gradually disintegrating structure. We also recognize that all of these protective measures must be maintained indefinitely as a part of long-term site care.

Together these concerns further justify our request for re-scoring (HRS) the LC site. We feel that HRS assessment should consider two scenarios: 1) the large body of contaminated sediments, which has already resulted in major and ongoing unpermitted releases of contaminants of concern downstream; and 2) a full failure of the dam, which would result in a catastrophic, continuous, and uncontrollable release of contaminants affecting tens of miles of downstream resources, private properties, and threatening public water supplies. The results of this assessment are essential to underscoring the urgency of action to assure long-term care of the LC site.

Again I thank you for making yourselves and your team available to discuss the LC project, and for committing to assisting us in finding a robust and expedient solution for long-term care of the site. We deeply appreciate the incredible assistance provided by both the Region 4 office of EPA, and SCDHEC, over the past 20 years on this project. Through our partnership, not only have we accomplished a nationally significant transformation of a complex waste site into a community asset, but we have also educated countless thousands of citizens on the importance of addressing our legacy wastes, and watershed stewardship.

We look forward to continuing to work closely with you and your team on this compelling project.

Sincerely,

CONESTEE FOUNDATION, INC.

A handwritten signature in black ink, reading "David L. Hargett". The signature is fluid and cursive, with the first name "David" being the most prominent.

David L. Hargett, Ph.D.
Founder and Executive Director

cc: Myra Reece, Director of Environmental Affairs, SCDHEC
Henry Porter, Chief, Bureau of Land & Waste Management, SCDHEC
Mike Marcus, Chief, Bureau of Water, SCDHEC
Ken Taylor, Site Assessment